

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON FEBRUARY 25, 2009, WITH THE FOLLOWING MEMBERS PRESENT: ROBERT L. PROUD, VICE PRESIDENT AND R. SCOTT CROSWELL III, MEMBER. LET THE RECORD SHOW THAT COMMISSIONER HUMPHREY WAS ABSENT THIS DATE. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 1:00 P.M. BY THE VICE PRESIDENT OF THE BOARD AND THE BOARD OF COUNTY COMMISSIONERS WAS HONORED TO HAVE SPC DANIEL PAYNE OF THE U.S. ARMY NATIONAL GUARD TO LEAD ALL PRESENT IN THE RECITATION OF THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

LET THE RECORD SHOW: The Board of County Commissioners presented Spc. Daniel Payne of the U.S. Army National Guard with a Certificate of Appreciation honoring him for his courageous commitment to our country while serving in Operation Iraqi Freedom. The Board commended his bravery and dedication to the cause of freedom. Spc. Daniel Payne was also presented with a medallion challenge coin from Danny Bare, Director of the Clermont County Veterans' Service Commission, a Certificate of Recognition and medallion challenge coin from Sheriff Albert J. Rodenberg, and a Congressional Proclamation from Steve Caraway, on behalf of Congresswoman Jean Schmidt, honoring him for his service to our country.

LET THE RECORD SHOW: The Board of County Commissioners recognized Linda Fraley, Clermont County Auditor, with the "Making Your Tax Dollars Count" Award for their Fiscal Year 2007 audit awarded earlier this month by Ohio Auditor of State Mary Taylor in recognition of the Clermont County Auditor's excellent financial accountability. Ms. Fraley noted that fewer than five percent of all Ohio government agencies are eligible for this award and further stated that this award recognized Clermont County for properly accounting for the tax dollars they spend. (DC# 09-0225-001)

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 25-09/PAYMENT OF BILLS...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt Resolution Number **25-09** resolving to approve payment to vendors listed on the General Ledger Distribution Report(s) presented by the County Auditor 02/23/09 in the revised total amount of **\$2,549,588.50** and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT... ACCEPTANCE OF THE CONTRACT WITH JERRY ALLEN AND ASSOCIATES FOR PROJECT NUMBER 2006-01 RELATIVE TO THE BATAVIA TOWNSHIP COMMUNITY PARK PICNIC SHELTER PROJECT, IN CONCERT WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT FOR FISCAL YEAR 2006 AS COMPLETE; EXECUTION OF THE CERTIFICATES OF SUBSTANTIAL AND FINAL COMPLETION THEREFORE; AND APPROVAL OF THE RELEASE OF RETAINAGE RELATIVE THERETO...07-0612-001...RATIFIED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Raymond Sebastian, Chief Building Official, Building Inspection Department, with the concurrence of Scot Lahrmer, Assistant County Administrator, to accept the Contract by and between the County of Clermont, Ohio, and Jerry Allen and Associates, 6940 Stringtown Road, Cable, Ohio 43009 for Project Number 2006-01 relative to the Batavia Township Community Park Picnic Shelter Project, in concert with the Community Development Block Grant Formula Program for Fiscal Year 2006 as Complete as of 11/30/07; to execute the Certificates of Substantial and Final Completion therefore; and to approve the release of retainage in the principal amount of \$1,891.64 relative thereto.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES/CHILD SUPPORT ENFORCEMENT DIVISION...IV-D SERVICE CONTRACT WITH THE CLERMONT COUNTY COURT OF COMMON PLEAS/ADULT PROBATION DEPARTMENT FOR THE PURCHASE OF SERVICES FOR SAME...09-0217-003...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Tim McCartney, Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to execute a IV-D Service Contract by and between the County of Clermont, Ohio, and the Clermont County Court of Common Pleas/Adult Probation Department, 270 Main Street, Batavia, Ohio 45103 for the provision of intensive child support case management services on criminal non-support cases on behalf of the Department of Job and Family Services/Child Support Enforcement Division, at the rate of \$44.01 per unit/hour for 3,553 total units/hours, for a total cost not to exceed \$156,367.53, effective 01/01/09 through 12/31/09, pursuant to the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES/CHILD SUPPORT ENFORCEMENT DIVISION...IV-D SERVICE CONTRACT WITH THE CLERMONT COUNTY COURT OF COMMON PLEAS/DOMESTIC RELATIONS DIVISION FOR THE PURCHASE OF SERVICES FOR SAME...09-0217-001...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Tim McCartney, Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to execute a IV-D Service Contract by and between the Department of Job and Family Services/Child Support Enforcement Division and the Clermont County Court of Common Pleas/Domestic Relations Division, 2340 Clermont Center Drive, Suite 200, Batavia, Ohio 45103 for the purchase of services relative to child support enforcement, including timely hearings on IV-D related cases, at the rate of \$129.68 per unit/hour for a total of 600 units/hours, for a total cost not to exceed \$77,808.00, effective 01/01/09 through 12/31/09, pursuant to the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...PURCHASE OF SERVICE AGREEMENT WITH STARR COMMONWEALTH FOR THE PROVISION OF RESIDENTIAL TREATMENT AND FOSTER CARE SERVICES FOR SAME...09-0217-002...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Tim McCartney, Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to execute a Purchase of Service Agreement by and between the County of Clermont, Ohio, and Starr Commonwealth, 15145 Lincoln Highway, Van Wert, Ohio 45892, and 301 Obetz Road, Columbus, Ohio 43207, for the provision of residential treatment for boys and girls with emotional and social problems ages 11-17, sexual offender residential treatment services, Hannah Neil Center residential treatment center services, and traditional, special and exceptional foster care services for children in the care and/or custody of the Department of Job and Family Services and/or Clermont County Juvenile Court, effective 02/01/09 through 01/31/10, at the rates as identified therein, pursuant to the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: CLERMONT COUNTY SEWER DISTRICT...AGREEMENT FOR RENEWAL OF PLATINUM MAINTENANCE FOR CARTEGRAPH SOFTWARE WITH CARTEGRAPH SYSTEMS, INC....06-1020-002...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Randy Davis, Collections System Supervisor, with the concurrence of J. Dwight Culbertson, WSD Assistant Director, Clermont County Sewer District, to execute an Agreement for Renewal of Platinum Maintenance for Cartegraph Software by and between the County of Clermont, Ohio, and Cartegraph Systems, Inc., 3600 Digital Drive, Dubuque, Iowa 52003 for platinum maintenance services on all WORKdirector, MAPdirector and SEWERview Software licensed to the Clermont County Sewer District, 4386 Haskell Lane, Batavia, Ohio 45103 for the period 01/31/09 through 01/30/10 in the amount of \$5,400.00 pursuant to the terms and conditions set forth therein and in compliance with the Software and Services Agreements ratified by the Board on 01/19/06 and 11/01/06 and subsequently amended on 04/18/07.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: CLERMONT COUNTY SEWER DISTRICT...OHIO PUBLIC WORKS COMMISSION (OPWC) PROJECT GRANT/LOAN AGREEMENT WITH THE STATE OF OHIO FOR OPWC PROJECT CONTROL NUMBER(S) CJ27M/CJ28M (GRANT/LOAN) FOR THE MIDDLE EAST FORK WWTP EVALUATION & RENOVATION PROJECT IN CONCERT WITH THE STATE ISSUE 2/AID TO LOCAL GOVERNMENT PROGRAM...08-1030-

003...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Lyle G. Bloom, P.E., Sanitary Engineer, with the concurrence of Suzanne Scheetz, Controller, Clermont County Sewer District, to authorize Edwin H. Humphrey, President of the Board of County Commissioners, or, in his absence, any other member of the Board of County Commissioners, to execute an Ohio Public Works Commission (OPWC) Project Grant/Loan Agreement by and between the County of Clermont, Ohio, and the State of Ohio, acting by and through the Director of the Ohio Public Works Commission, 65 East State Street, Suite 312, Columbus, Ohio 43215 relative to OPWC Project Control Number(s) CJ27M/CJ28M (Grant/Loan) for the Middle East Fork WWTP Evaluation & Renovation Project as outlined below, in concert with the State Issue 2/Aid to Local Government Program, pursuant to the terms and conditions specified therein; and further, to authorize Suzanne Scheetz, Controller, to sign the Promissory Note for the Loan Agreement for OPWC Loan Project Control Number CJ28M relative thereto:

| Project Description | OPWC Project Control Number | Grant Agreement Amount | Loan Agreement Amount |
|--|-----------------------------|------------------------|-----------------------|
| Middle East Fork Wastewater Treatment Plant Evaluation & Renovation Project Project Number 651-0034 Batavia Township | CJ27M/Grant CJ28M/Loan | \$570,000.00 | \$284,903.00 |

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS & SECURITY/THE TELECOMMUNICATIONS DIVISION...STATEMENT OF WORK AND BILL OF MATERIALS WITH CINCINNATI BELL TECHNOLOGY SOLUTIONS INC. FOR THE PROVISION OF UPGRADING THE BATAVIA CAMPUS PBX TELEPHONE SYSTEM FOR SAME...09-0213-002...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications & Security/The Telecommunications Division, with the concurrence of David L. Spinney, County Administrator, to execute a Statement of Work and Bill of Materials Number 550045875 by and between the Board of County Commissioners of Clermont County, Ohio, and Cincinnati Bell Technology Solutions Inc., 4600 Montgomery Road, Suite 400, Cincinnati, Ohio 45212 for the provision of upgrading the Batavia Campus PBX Telephone System for a total not to exceed \$59,847.40, effective immediately upon execution, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/FACILITIES MANAGEMENT DEPARTMENT...AWARD OF BID FOR JANITORIAL SERVICES FOR VARIOUS COUNTY FACILITIES AND EXECUTION OF CONTRACT RELATIVE THERETO...09-0107-006...RATIFIED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Wade Grabowski, Director, Facilities Management Department, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, to award the bid for Janitorial Services for various County facilities for the Annual Level 1 Service pursuant to the specifications therefore, to Alpha & Omega Building Service, 2843 Culver Avenue, Kettering, Ohio, 45429, for their lowest and best bid received therefore on 02/12/09, at the item prices as outlined therein, for a total amount not to exceed \$438,172.86, after correcting for the duplication in the bid for the juvenile detention facility, and to execute the Contract relative thereto, effective 03/02/09 through 03/01/10 with the option to renew for two (2) additional one (1) year terms, pursuant to and in compliance with the terms and conditions set forth therein and the award of bid therefore, and contingent upon the issuance of purchase orders in and as it relates thereto.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: COUNTY ENGINEER...WOODBURY GLEN SUBDIVISION/SECTION 2A/BATAVIA TOWNSHIP...RECORD PLAT NUMBER 629-2617 AND COMBINED PERFORMANCE-MAINTENANCE BOND, AS WELL AS, PERFORMANCE BOND FOR SIDEWALKS AS SURETY FOR SAME...09-0211-002...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plat Number **629-2617** for the following subdivision within Batavia Township, and further to execute the Combined Performance-Maintenance Bond, as well as, Performance Bond for Sidewalks as surety for same relative to the construction of the below listed streets:

| Subdivision | Performance-Maintenance Bond | Performance Bond for Sidewalks | Street/Length (miles) |
|--|------------------------------|--------------------------------|--|
| Woodbury Glen Subdivision Section 2A Batavia Township Record Plat Number 629-2617 Secured by Standby Letter of Credit Number 143 * and 144** issued by Advantage Bank, 100 East Wilson Bridge Road, Suite 105, Worthington, Ohio 43085 | \$40,000.00/\$10,000.00* | \$34,400.00** | Woodbury Glen Drive (0.19) Shawna’s Way (0.03) Glenwood Court (0.10) |

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: COUNTY ENGINEER...OHIO PUBLIC WORKS COMMISSION (OPWC) PROJECT GRANT AGREEMENTS WITH THE STATE OF OHIO FOR OPWC PROJECT CONTROL NUMBERS CJ17M AND CJ11M FOR THE OLD SR 32 & OLD SR 28 BRIDGE REPLACEMENTS AND THE GLENESTE WITHAMSVILLE & SHAYLER ROAD IMPROVEMENTS PROJECTS IN CONCERT WITH THE STATE ISSUE 2/AID TO LOCAL GOVERNMENT PROGRAM...RATIFIED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manager, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize Edwin H. Humphrey, President of the Board of County Commissioners, or, in his absence, any other member of the Board of County Commissioners, to execute Ohio Public Works Commission (OPWC) Project Grant Agreements by and between the County of Clermont, Ohio, and the State of Ohio, acting by and through the Director of the Ohio Public Works Commission, 65 East State Street, Suite 312, Columbus, Ohio 43215 relative to OPWC Project Control Numbers CJ17M and CJ11M for the Old SR 32 & Old SR 28 Bridge Replacements and the Gleneste Withamsville & Shayler Road Improvements Projects as outlined below, in concert with the State Issue 2/Aid to Local Government Program, pursuant to the terms and conditions specified therein:

| Project Description | OPWC Project Control Number | Grant Agreement Amount |
|---|-----------------------------|------------------------|
| Old State Route 32 & Old State Route 28 Bridge Replacements Projects Project Number BA-02-01 Project Number GO-30-01 Batavia & Goshen Townships DC# 08-1120-001 | CJ17M | \$ 630,000.00 |
| Gleneste Withamsville & Shayler Road Improvements Project Project Number UN-15-04 Union Township DC# 08-1120-003 | CJ11M | \$ 1,100,000.00 |

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: COUNTY ENGINEER...PERMANENT EASEMENT HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO FOR PROJECT NUMBER TA-09-08 RELATIVE FOR THE NINNICHUCK ROAD IMPROVEMENT PROJECT LOCATED IN TATE TOWNSHIP...09-0212-002...ACCEPTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to accept the following Permanent Easement heretofore granted and conveyed to the County of Clermont, Ohio, for roadway purposes necessary for Project Number TA-09-08 relative to the Ninnichuck Road Improvement Project located within Tate Township, and to authorize payment as compensation for the Permanent Easement and Right-of-Way granted thereby relative thereto:

| Owner | Parcel Number | Compensation |
|---|---------------|----------------------------|
| Judy D. and Mark Allen 34 Miami Lakes Drive Milford, Ohio 45150 Property Location: Ninnichuck Road | 32-30-18D-064 | Perm \$4,220.00 |

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: COUNTY ENGINEER...REAL ESTATE PURCHASE CONTRACT WITH HELLER PROPERTIES FOR THE PURCHASE OF 0.019 ACRES OF

LAND IDENTIFIED AS A PORTION OF PARCEL NUMBER 03-45-23D-046 FOR ROADWAY PURPOSES IN CONCERT WITH PROJECT NUMBER BA-14-01 RELATIVE TO THE SR 125 AT AMELIA OLIVE BRANCH ROAD PROJECT LOCATED IN BATAVIA TOWNSHIP...-09-0211-001...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute the Real Estate Purchase Contract by and between the Board of County Commissioners of Clermont County, Ohio, and Heller Properties, 1219 State Route 28, Milford, Ohio 45150, for the purchase of 0.019 acres of land located at 13 Amelia Olive Branch Road in Batavia Township, and identified as a portion of Parcel 03-45-23D-046 as described in Exhibit A, as well as, the acquisition of a temporary easement over Parcel Numbers 03-45-23C-044 and 03-45-23D-046 as described in Exhibit B and Exhibit C, all of which are attached thereto and made a part thereof, for roadway purposes, in the amount of \$14,500.00, inclusive of repair costs in the amount of \$6,866.00, as outlined in Exhibit D, pursuant to the terms and conditions set forth therein and in concert with Project Number BA-14-01 relative to the SR 125 at Amelia Olive Branch Road Project located in Batavia Township, and further to authorize the County Auditor to issue the referenced payment therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 26-09/RESOLUTION DECLARING THE NECESSITY TO APPROPRIATE CERTAIN LAND FOR PUBLIC PURPOSES IN CONCERT WITH PROJECT NUMBER BA-14-01 RELATIVE TO THE SR 125 AT AMELIA OLIVE BRANCH ROAD INTERSECTION IMPROVEMENT PROJECT LOCATED IN BATAVIA AND PIERCE TOWNSHIPS...09-0213-003...HELD

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of Allan L. Edwards, Assistant Prosecuting Attorney, to adopt Resolution Number 26-09 resolving to proceed to file a Petition for Appropriation of Real Property for portions of Parcel Number 03-49-28.-010A for real estate located in Batavia Township and owned by Robert L. Westbrook, whose mailing address is 1400 State Route 125, Amelia, Ohio 45102, and as identified in Exhibit 1, attached thereto and made a part thereof, in concert with Project Number BA-14-01 relative to the SR 125 at Amelia Olive Branch Road Intersection Improvement Project located within Batavia and Pierce Townships; resolving to authorize a Declaration of Intent to Take Possession as designated in Exhibit 2, attached thereto and made a part thereof, to be filed, and to authorize the amount of \$25,240.00 to be deposited with the Clermont County Common Pleas Clerk of Courts, which represents the County Engineer's appraisal of the value of the real property to be appropriated and damages thereto, if any; and further, to authorize the County Auditor to issue the referenced payment subsequent thereto.

IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 27-09/RESOLUTION DECLARING THE NECESSITY TO APPROPRIATE CERTAIN LAND FOR PUBLIC PURPOSES IN CONCERT WITH PROJECT NUMBER BA-14-01 RELATIVE TO THE SR 125 AT AMELIA OLIVE BRANCH ROAD INTERSECTION IMPROVEMENT PROJECT LOCATED IN BATAVIA AND PIERCE TOWNSHIPS...09-0219-003...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of Allan L. Edwards, Assistant Prosecuting Attorney, to adopt Resolution Number 27-09 resolving to proceed to file a Petition for Appropriation of Real Property for portions of Parcel Numbers 29-01-09A-001. and 29-01-09A-003. for real estate located on Main Street in the Village of Amelia, Pierce Township, and owned by Gary E. Proctor and Marilyn Proctor, whose mailing address is 3870 Bach Buxton Road, Amelia, Ohio 45102, and as identified in Exhibit 1, attached thereto and made a part thereof, in concert with Project Number BA-14-01 relative to the SR 125 at Amelia Olive Branch Road Intersection Improvement Project located within Batavia and Pierce Townships; resolving to authorize a Declaration of Intent to Take Possession as designated in Exhibit 2, attached thereto and made a part thereof, to be filed, and to authorize the amount of \$13,313.00 to be deposited with the Clermont County Common Pleas Clerk of Courts, which represents the County Engineer's appraisal of the value of the real property to be appropriated and damages thereto, if any; and further, to authorize the County Auditor to issue the referenced payment subsequent thereto.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 28-09/RESOLUTION DECLARING THE NECESSITY TO APPROPRIATE CERTAIN LAND FOR PUBLIC PURPOSES IN CONCERT WITH PROJECT NUMBER BA-14-01 RELATIVE TO THE SR 125 AT AMELIA OLIVE BRANCH ROAD INTERSECTION IMPROVEMENT PROJECT LOCATED IN BATAVIA AND PIERCE TOWNSHIPS...09-0219-004...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of Allan L. Edwards, Assistant Prosecuting Attorney, to adopt Resolution Number 28-09 resolving to proceed to file a Petition for Appropriation of Real Property for a portion of Parcel Number 03-20-23E-204. for real estate located on State Route 125 in Batavia Township, and owned by BP Exploration and Oil Inc., whose mailing address is P.O. Box 1548, Warrenville, Illinois 60555-1548, and as identified in Exhibit 1, attached thereto and made a part thereof, in concert with Project Number BA-14-01 relative to the SR 125 at Amelia Olive Branch Road Intersection Improvement Project located within Batavia and Pierce Townships; resolving to authorize a Declaration of Intent to Take Possession as designated in Exhibit 2, attached thereto and made a part thereof, to be filed, and to authorize the amount of \$4,975.00 to be deposited with the Clermont County Common Pleas Clerk of Courts, which represents the County Engineer's appraisal of the value of the real property to be appropriated and damages thereto, if any; and further, to authorize the County Auditor to issue the referenced payment subsequent thereto.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 29-09/RESOLUTION DECLARING THE NECESSITY TO APPROPRIATE CERTAIN LAND FOR PUBLIC PURPOSES IN CONCERT WITH PROJECT NUMBER BA-14-01 RELATIVE TO THE SR 125 AT AMELIA OLIVE BRANCH ROAD INTERSECTION IMPROVEMENT PROJECT LOCATED IN BATAVIA AND PIERCE TOWNSHIPS...09-0219-005...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of Allan L. Edwards, Assistant Prosecuting Attorney, to adopt Resolution Number 29-09 resolving to proceed to file a Petition for Appropriation of Real Property for a portion of Parcel Number 05-01-18.-178P for real estate located on Lori Lane in the Village of Amelia, Batavia Township, and owned by Mallard Glen Limited Partnership, whose mailing address is 4334 Glendale-Milford Road, Cincinnati, Ohio 45242, and as identified in Exhibit 1, attached thereto and made a part thereof, in concert with Project Number BA-14-01 relative to the SR 125 at Amelia Olive Branch Road Intersection Improvement Project located within Batavia and Pierce Townships; resolving to authorize a Declaration of Intent to Take Possession as designated in Exhibit 2, attached thereto and made a part thereof, to be filed, and to authorize the amount of \$300.00 to be deposited with the Clermont County Common Pleas Clerk of Courts, which represents the County Engineer's appraisal of the value of the real property to be appropriated and damages thereto, if any; and further, to authorize the County Auditor to issue the referenced payment subsequent thereto.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 30-09/RESOLUTION DECLARING THE NECESSITY TO APPROPRIATE CERTAIN LAND FOR PUBLIC PURPOSES IN CONCERT WITH PROJECT NUMBER BA-14-01 RELATIVE TO THE SR 125 AT AMELIA OLIVE BRANCH ROAD INTERSECTION IMPROVEMENT PROJECT LOCATED IN BATAVIA AND PIERCE TOWNSHIPS...09-0219-006...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of Allan L. Edwards, Assistant Prosecuting Attorney, to adopt Resolution Number 30-09 resolving to proceed to file a Petition for Appropriation of Real Property for a portion of Parcel Number 28-28-07A-165. for real estate located on State Route 125 in Pierce Township, and owned by Vincent E. Johnson, 314 Mockingbird Gardens Drive, Louisville, Kentucky 40207, Catherine Alfir, 404 Club Lane, Louisville, Kentucky 40207, Mary Ellen O'Hara, 3844 Gatewood Drive, Cincinnati, Ohio 45245, Victor E. Johnson, Jr., 2277 U.S. Route 50, Box 520, Owensville, Ohio 45160, and Leslie Hiestand, 152 Weisser Avenue, Louisville, Kentucky 40206 and as identified in Exhibit 1, attached thereto and made a part thereof, in concert with Project Number BA-14-01 relative to the SR 125 at Amelia Olive Branch Road Intersection Improvement Project located within Batavia and Pierce Townships; resolving to authorize a Declaration of Intent to Take Possession as designated in Exhibit 2, attached thereto and made a part thereof, to be filed, and to authorize the amount of \$6,343.00 to be deposited with the Clermont County Common Pleas Clerk of Courts, which represents the County Engineer's appraisal of the value of the real property to be appropriated and damages thereto, if any; and further, to authorize the County Auditor to issue the referenced payment subsequent thereto.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 31-09/RESOLUTION DETERMINING TO VACATE ALL OF CASH ALLEY AND PORTIONS OF PLUM ALLEY SITUATED WITHIN JACKSON TOWNSHIP...08-0815-001...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation to adopt Resolution Number **31-09** determining to vacate all of Cash Alley and portions of Plum Alley situated within Jackson Township, Clermont County, Ohio, as described therein, pursuant to and in compliance with Section 5553.04 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 32-09/RESOLUTION GRANTING ANNEXATION OF 0.4604 ACRES OF LAND OWNED BY JOHN R. MALOTT AND DONNA S. MALOTT TO THE VILLAGE OF WILLIAMSBURG, CLERMONT COUNTY, OHIO...08-1112-004...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Pursuant to Section 709.033 of the Ohio Revised Code, the Board of County Commissioners adopt Resolution Number **32-09** resolving to grant the Petition for Annexation of 0.4604 Acres of Land situated within Williamsburg Township to the Village of Williamsburg, Clermont County, Ohio, filed in the Office of the Board of County Commissioners at 8:46 a.m. on Wednesday, November 12, 2008, by Donna Malott, for and on behalf of T. David Burgess, 110 North Third Street, Williamsburg, Ohio 45176, the designated Agent and Attorney for the Petitioners, John R. Malott and Donna S. Malott, 3677 Old State Route 32, Williamsburg, Ohio 45176, who are all the owners of the real estate sought to be annexed.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: BOARD OF COUNTY COMMISSIONERS...REQUEST TO INITIATE PROCEDURES TO VACATE A PORTION OF WOODBURY GLEN DRIVE LOCATED WITHIN WOODBURY GLEN SUBDIVISION IN BATAVIA TOWNSHIP AND PUBLICATION OF LEGAL NOTICE RELATIVE TO THE VIEWING AND PUBLIC HEARING THEREON...09-0206-005...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation to approve the request of the Board of Batavia Township Trustees to initiate procedures to vacate a portion of Woodbury Glen Drive located within Woodbury Glen Subdivision in Batavia Township, Clermont County, Ohio, pursuant to Section 5553.04 of the Ohio Revised Code and further resolve to authorize the Clerk of the Board to place Legal Notice in the Clermont Sun for two consecutive weeks commencing Thursday, March 5, 2009, designating the date and time of the Viewing and the date, time, and location of the Public Hearing for the proposed vacation thereon pursuant to Section 5553.05 of the Ohio Revised Code. The **Viewing** on the Proposed Vacation of a Portion of Woodbury Glen Drive located within Woodbury Glen Subdivision in Batavia Township will be held on site on **Wednesday, March 25, 2009, on or about 11:00 A.M. Local Time.** The **Final Hearing** on the Proposed Vacation of a Portion of Woodbury Glen Drive located within Woodbury Glen Subdivision in Batavia Township will be held on **Wednesday, March 25, 2009, at 2:00 P.M. Local Time** in the Office of the Board of County Commissioners, Clermont County, Ohio, 101 East Main Street, Batavia, Ohio 45103-2960.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: BOARD OF COUNTY COMMISSIONERS...JOINT APPLICATIONS WITH THE PROSECUTING ATTORNEY TO THE CLERMONT COUNTY COURT OF COMMON PLEAS FOR EMPLOYMENT OF LEGAL COUNSEL FOR MATTERS RELATIVE TO THE CECOS FACILITY AND OTHER ENVIRONMENTAL MATTERS AS NEEDED, AND PREPARATION OF ALL DOCUMENTATION IN SUPPORT OF THE UNDERWRITING OF BONDS AND FINANCIAL OBLIGATIONS OF CLERMONT COUNTY...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to execute Joint Applications with the Prosecuting Attorney to the Clermont County Court of Common Pleas for the employment of Legal Counsel with the following law firms as Special Counsel to represent the Board of County Commissioners in its official capacity and to advise it on legal matters as outlined therein, with compensation therefore at the rates and/or not to exceed total amounts as outlined below for Calendar Year 2009, pursuant to Section 305.14 of the Ohio Revised Code:

| Law Firm | Legal Matter(s) | Hourly Rate | | Total Amount Not to Exceed |
|--|---|----------------------|----------|----------------------------|
| Schottenstein, Zox & Dunn, L.P.A. Huntington Center 41 South High Street Suite 2600 Columbus, Ohio 43215 DC# 09-0223-001 | Legal counsel for matters relative to the CECOS Facility on Aber Road, Williamsburg, Ohio, and the defense of the litigation brought by the State of Ohio involving the County's alleged violation of its NPDES permits, the recovery of damages from all parties responsible for the negligent design, installation, or other aspects of the treatment works at the Lower East Fork sewage treatment plant, the Harsha Lake Water supply, and such other environmental matters as the Board of County Commissioners may from time to time designate. | Attorneys/Principal | \$350.00 | \$200,000.00 |
| | | Attorneys/Associates | \$275.00 | |
| | | Law Clerks | \$150.00 | |
| | | Paralegals | \$165.00 | |
| Squire, Sanders & Dempsey L.L.P. 221 East Fourth Street Suite 2900 Cincinnati, Ohio 45202-4095 DC# 09-0223-002 | Preparation of all documentation in support of the underwriting of bonds and financial obligations of the County of Clermont, Ohio. | | | \$ 35,000.00 |

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: BOARD OF COUNTY COMMISSIONERS. . .RESOLUTION NUMBER 33-09/RESOLUTION ADOPTING FY 2009 OHIO NEIGHBORHOOD STABILIZATION PROGRAM GRANT (NSP) AND AUTHORIZING FILING OF THE FY 2009 OHIO NEIGHBORHOOD STABILIZATION PROGRAM GRANT APPLICATION FORMS...09-0224-002...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Ray Sebastian, Chief Building Official, Department of Community Planning and Development, with the concurrence of Scot Lahrmer, Assistant County Administrator, to adopt Resolution Number 33-09 resolving to adopt the Ohio Neighborhood

Stabilization Program for the County of Clermont, Ohio, for Fiscal Year 2009, and to authorize the execution of the Application for Federal Assistance in the amount of \$1,442,562.00, including all understandings and assurances therein required relative thereto, pursuant to and in compliance with the Ohio Department of Development’s Neighborhood Stabilization Program.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: REQUESTS FROM VARIOUS DEPARTMENTS TO JOIN PROFESSIONAL ORGANIZATIONS AND AUTHORIZATION FOR REIMBURSEMENT OF ROUTINE TRAVEL EXPENSES RELATIVE THERETO...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Requests from various departments to join professional organizations and to authorize payment of the annual dues in the amounts outlined below for membership therein, pursuant to Section 325.21 of the Ohio Revised Code and to authorize reimbursement of **routine travel expenses** associated therewith (*excluding expenses for overnight accommodations, meals for more than one day, registration fees, tuition, and/or transportation by common carrier*) pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2009 and any and all amendments subsequent thereto:

| Elected Official or Department/Employee | Organization | Annual Dues | Term |
|---|--|-------------|---------------------------------|
| Clermont County Juvenile Court Doug Young Kim Credit Dave Hauck DC# 09-0115-001 | Ohio Juvenile Diversion Association | \$50.00 | 01-01-09 through 12-31-09 |
| Department of Job and Family Services Tim McCartney and/or Staff DC# 09-0105-003 | Southwest Public Children Services Association of Ohio | \$50.00 | 01-01-09 through 12-31-09 |

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: HUMAN RESOURCES DEPARTMENT...EXECUTION OF TUITION ASSISTANCE APPLICATIONS FROM CLERMONT COUNTY EMPLOYEES...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Robert Sander, Director, Human Resources Department, with the concurrence of David L. Spinney, County Administrator, to execute Tuition Assistance Applications submitted by the following employees for participation in the Clermont County Tuition Assistance Program, pursuant to Section 4.12 of the Clermont County Personnel Policy and Procedures Manual:

| Department/Employee | Class Name |
|---|--|
| Clermont County Juvenile Court Sarah E. Johnson DC# 05-0412-003 | Social & Cultural Foundations of Education |

| | |
|---|--|
| Clermont County Juvenile Court Randy Dorsey DC# 07-0116-003 | Social & Cultural Foundations of Education Seminar Contemporary Issues in Education |
|---|--|

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

**IN RE: PROSECUTING ATTORNEY...SERVICE AGREEMENT FOR THE
PROVISION OF MAINTENANCE ON OFFICE EQUIPMENT FOR
SAME...09-0213-001...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Donald W. White, Prosecuting Attorney, with the concurrence of David L. Spinney, County Administrator, to execute a Service Agreement for the provision of maintenance on the following equipment at the rate and the term outlined below pursuant to the terms and conditions set forth therein:

| Elected Official or Department | Vendor | Equipment/Model #/ Serial Number(s) | Rate | Term |
|--------------------------------|--|--|---|---------------------------------|
| Prosecuting Attorney | Millennium Business Systems 5143 Kennedy Avenue Cincinnati, Ohio 45213 | Sharp AR-277 Copier S/N: 45069738 | \$375.00 plus \$0.0156 per copy in excess of 24,000 copies | 11/08/08 through 11/07/09 |

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

**IN RE: BOARD OF COUNTY COMMISSIONERS...FINANCIAL/BUDGETARY
ACTIONS FOR FISCAL YEAR 2009...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to approve financial/budgetary actions as they relate to changes in the Annual Appropriation Resolution for Fiscal Year 2009 (Resolution Number 194-08) 1. and/or interfund transactions as outlined in the following table(s) and to authorize Linda Fraley, County Auditor, to properly record same:

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009

| | | | |
|-----------------|-----------------------------|---------------|----------------------|
| \$ 5,370.00 | Solid Waste Management Fund | 217-5013-5121 | Overtime |
| \$ 830.00 | Solid Waste Management Fund | 217-5013-5200 | Fringe Benefits |
| \$ 41,215.00 | Solid Waste Management Fund | 217-5013-5300 | Purchased Services |
| \$ 7,585.00 | Solid Waste Management Fund | 217-5013-5700 | Materials & Supplies |

CASH TRANSFER OF FUNDS

| | |
|------------------|---|
| \$ 50,000.00 | From General Fund 100-4018-7220-0232 to Narcotics Unit Fund 232-0232-4811 |
| \$ 110,000.00 | From Water Revenue Fund 601-8550-7310 to Water & Sewer Combined Services Fund 603-0603-4871 |

| | |
|---------------|---|
| \$ 110,000.00 | From Sewer Revenue Fund 602-8530-7310 to Water & Sewer Combined Services Fund 603-0603-4871 |
|---------------|---|

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: TRAINING AND TRAVEL REQUESTS...REIMBURSEMENT OF EXPENSES RELATIVE TO SAME...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to approve the following requests for reimbursement of expenses for training and travel pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2009 and any and all amendments subsequent thereto:

PROSECUTING ATTORNEY

Holly Cruely: One (1) day – Blue Ash, Ohio – Kodak/docuVision Seminar entitled “Electronic Documents for Government” – Total expenses not to exceed \$24.20.

COUNTY SHERIFF

Trisha Frasure, Linda Ryan and Sharon Buttrick: Two (2) days – Batavia, Ohio – Clermont County General Health District ServSafe Food Safety Certification Course – Total expenses not to exceed \$375.00.

Steve Leahy: Four (4) days – Indianapolis, Indiana – MAGLOCLIN Officer Safety and Criminal Intelligence Resource Training – Total expenses not to exceed \$257.00.

Pam Babcock and Dave Barr: Four (4) days – Louisville, Kentucky – American Jail Association’s 28th Annual Training Conference and Jail Exposition – Total expenses not to exceed \$1,712.16.

Garry Summers: Five (5) days – Columbus, Ohio – Ohio Department of Public Safety 2009 Ohio State Highway Patrol Special Response Team Course entitled “Basic SWAT” – Total expenses not to exceed \$100.00.

DEPARTMENT OF JOB AND FAMILY SERVICES

Kimberlee Swearingen and Teresa Cahall: One (1) day – Columbus, Ohio – Maximus Consulting Services, Inc. Class entitled “Program Expenditure Tracking Basics” – Total expenses not to exceed \$430.00.

Kimberlee Swearingen and Sharon Anstaett: One (1) day – Columbus, Ohio - Maximus Consulting Services, Inc. Class entitled “Quarterly Information Consolidation Plus Basics” – Total expenses not to exceed \$430.00.

CLERMONT COUNTY MUNICIPAL COURT

Stephanie Bohrer Harper: Three (3) days – Columbus, Ohio – Supreme Court of Ohio Judicial College’s Court Management Program entitled “Module III: Fundamentals of Case Flow Management” – Total expenses not to exceed \$504.00.

TREATMENT ALTERNATIVES TO STREET CRIME

Dee Hargitt: One (1) day – Columbus, Ohio – 2009 Ohio Department of Alcohol and Drug Addiction Services Directors’ Conference entitled “Emerging Trends in a Changing Environment” – Total expenses not to exceed \$168.75.

COUNTY RECORDER

Deborah Clepper and Romain Walker: Two (2) days – Columbus, Ohio – Ohio Recorder’s Association Spring Conference and Continuing Education Seminar – Total expenses not to exceed \$378.00.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: PERSONNEL ACTION FORMS...APPROVED

- * THE OFFICIAL RECORD OF PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, RELATIVE TO PERSONNEL ACTIONS IS AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mr. Proud, to approve the minutes of Regular Session of **02/25/09** carried with all members present voting affirmatively thereon.

IN RE: ADJOURNMENT...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 2:17 P.M. until the next regularly scheduled session to be held at a later date.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

**BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO**

**EDWIN H. HUMPHREY, PRESIDENT
ROBERT L. PROUD, VICE PRESIDENT
R. SCOTT CROSWELL III, MEMBER**

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED – 02/25/09